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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY

CERTIFIED TRUE COPY

In the Matter of the	:	
Reinstatement Application of	:	Administrative Action
	:	
KEVIN P. WARD, D.D.S.	:	ORDER REINSTATING
	:	LICENSE WITH RESTRICTIONS
	:	
to Practice Dentistry in the	:	
State of New Jersey	:	

This matter was reopened to the New Jersey Board of Dentistry ("Board") following voluntary remand from the Appellate Division. Kevin P. Ward, D.D.S. ("Dr. Ward", or "respondent") had filed a Notice of Appeal from the Board's order of December 1, 2004, denying his application for reinstatement of his dental license." Shortly after the filing of the appeal on December 23, 2004, Dr. Ward filed a motion for reconsideration of the Board's order. Because the appeal divested the Board of jurisdiction to consider the motion, and because the motion for reconsideration sought, among other things, an order from the Board permitting Dr. Ward to engage in the practice of dentistry in an administrative

"In its order denying reinstatement, the Board, based on a thorough review of all materials presented, determined that Dr. Ward's return to practice at that time was not consistent with the public health, safety and welfare. While the request to consider Dr. Ward's return in an administrative capacity was raised at that time, the Board's order did not address that issue.

capacity, the Board filed the motion for remand with the Appellate Division.' The Court granted the motion on March 21, 2005.

In anticipation of the remand, on March 14, 2005, counsel for Dr. Ward submitted a letter to the Board." John Paul Dizzia, Esq., urged the Board to permit Dr. Ward to return to practice as an owner or administrator, noting that Dr. Ward had been an administrator of a dental practice in New York for the last four years without any indication of any impropriety regarding his ownership or management. On April 20, 2005, the Board considered Dr. Ward's motion for reconsideration. A motion to permit Dr. Ward to return to practice in a non-clinical capacity failed to garner sufficient votes for passage and the Board tabled the matter to its next meeting. On May 4, 2005, the Board again considered the application and, after lengthy deliberations, determined that Dr. Ward be granted a license with restrictions consistent with this order.

The Board's decision will permit Dr. Ward to own a dental practice with one or more licensed dentists, but restricts him from participating in clinical aspects of practice. The Board has determined that this order is sufficiently protective of the public

Pursuant to N.J.S.A. 45:6-19, the practice of dentistry includes acting as "a manager, proprietor, operator or conductor of a place where dental operations are performed."

" The March 14, 2005 letter also addressed the Board's approval of Alberto Goldwaser, M.D., to provide an independent, psychiatric evaluation of Dr. Ward.

health, safety and welfare. This limited license shall be in effect for a period of up to two years from the entry of this order as the Board anticipates that it will fully consider Dr. Ward's fitness to engage in all aspects of dentistry upon receipt of additional psychiatric information.* The decision to permit this limited return to practice shall not affect the Board's disposition of any future application seeking to remove the restrictions set forth in this order. That decision will be based on the record created at the time of such application.

THEREFORE,

IT IS ON THIS 20th DAY OF JULY, 2005;

ORDERED that the application for reinstatement of Kevin P. Ward, D.D.S., is granted subject to the following restrictions:

1. Dr. Ward may engage the administrative practice of dentistry with one or more licensees of the Board in a permissible business format as that term is defined in N.J.A.C. 13:30-8.13, except that he may not engage in practice as a sole proprietor.

2. For purposes of this order, administrative practice shall be limited to administration, management, and partial ownership of the practice.

3. Dr. Ward shall not engage in the clinical practice of dentistry, which shall include but not be limited to diagnosis and

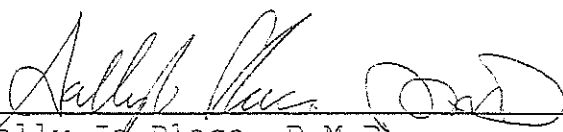
* Dr. Ward shall be required to renew his license, subject to these restrictions, at the biennial renewal.

treatment planning, clinical contact with patients, and supervision of dental auxiliaries.

4. There shall be a licensed New Jersey dentist present in the dental office at all times when Dr. Ward and patients are in the facility. Dr. Ward shall provide a list of licensed dentists who are practicing at any location where he will be present when patients are being treated.

5. This order shall remain in effect until further order of the Board. If no further application is made to the the Board regarding Dr. Ward's license within two years from the entry of this order, the Board on its own motion will revisit this matter.

NEW JERSEY STATE BOARD OF DENTISTRY


Sally-Jo Placa, D.M.D.
President